

{{10-31-96 p.C-4233}}

[¶11,322A] **In the Matter of Robert F. Bacigalupo, Clayton O. Belongia, Joseph J. Caruso, Roberta C. Giachini, Nancy K. Kelley, James E. Mitchell, and John J. Murphy, Maywood-Proviso State Bank, Maywood, Ill., Docket No. FDIC-96-31k (7-26-96)**

Respondents agree to pay civil money penalty assessed by FDIC.

**In the Matter of  
ROBERT F. BACIGALUPO,  
CLAYTON O.  
BELONGIA, JOSEPH J. CARUSO,  
ROBERTA C. GIACHINI, NANCY K.  
KELLEY, JAMES E. MITCHELL,  
JOHN J. MURPHY, individually  
and as institution-affiliated  
parties of  
MAYWOOD-PROVISO STATE BANK  
MAYWOOD, ILLINOIS  
(Insured State Nonmember Bank)  
ORDER TO PAY  
FDIC-96-31k**

Robert F. Bacigalupo, Clayton O. Belongia, Joseph J. Caruso, Roberta C. Giachini, Nancy K. Kelley, James E. Mitchell, and John J. Murphy ("Respondents") and a representative of the Legal Division of the Federal Deposit Insurance Corporation ("FDIC") executed a Stipulation and Consent to the Issuance of an Order to Pay ("CONSENT AGREEMENT") dated April 16, 1996, whereby Respondents, solely for the purpose of this proceeding and without admitting or denying any violations of law or regulation for which civil money penalties may be assessed, consented and agreed to pay a civil money penalty in the amount specified below to the Treasurer of the United States.

After taking into account the CONSENT AGREEMENT, the appropriateness of the penalty with respect to the financial resources and good faith of Respondents, the gravity of the violations by Respondents, the history of previous violations by Respondents, and such other matters as justice may require, the FDIC accepts the CONSENT AGREEMENT and issues the following:

*ORDER TO PAY*

IT IS HEREBY ORDERED, that by reason of the violations set forth in paragraph 3 of the CONSENT AGREEMENT, a penalty of \$2,500 be, and hereby is, assessed against Robert F. Bacigalupo, a penalty of \$5,000 be, and hereby is, assessed against Clayton O. Belongia, a penalty of \$2,500 be, and hereby is, assessed against Roberta C. Giachini, a penalty of \$2,500 be, and hereby is, assessed against Nancy K. Kelley, a penalty of \$2,500 be, and hereby is, assessed against James E. Mitchell, and a penalty of \$2,500 be, and hereby is, assessed against John J. Murphy. The Respondents shall pay the civil money penalties to the Treasurer of the United States as of the effective date hereof.

IT IS FURTHER ORDERED that the Respondents are prohibited from seeking or accepting indemnification from any insured depository institution for the civil money penalties assessed and paid in this matter.

This Order to Pay shall be effective upon issuance.

Pursuant to delegated authority.

Dated at Washington D.C., this 26th day of July, 1996.